

trembled as he started to rise to hear his fate, but later regained his composure and was quite calm when Judge Bordwell bitterly exoriated him.

"Are you ready to proceed?" asked Judge Bordwell.

"The State is," said Frederick and read James B. McNamara's confession and absolute silence.

JAMES B. McNAMARA'S CONFESSION.

The statement said:

I, James B. McNamara, defendant in the case of the People, having heretofore plead guilty to the crime of murder, desire to make this statement, and this is the truth:

On the night of Sept. 30, 1910, at 5:45 P. M., I placed in Ink Alley, a portion of the Times Building, a suitcase containing sixteen sticks of 80 per cent. dynamite, set to explode at 1 o'clock the next morning. It was my intention to injure the building and scare the owners. I did not intend to take the life of anyone. I sincerely regret that these unfortunate men lost their lives. If the giving of my life would bring them back, I would gladly give it. In fact, in pleading guilty to murder in the first degree, I have placed my life in the hands of the State.

JAMES B. McNAMARA.

"Is that statement correct?"

"It is," said McNamara.

Judge Bordwell asked McNamara if he had not at first tried to get dynamite of a higher explosive character than 80 per cent., receiving a negative answer. The Court then said:

"There is no contest in the assertion that you did not intend to take life. The widows and orphans and the parents of the victims of your crime would look upon that statement at this time as a mockery. The circumstances are against you in making any such claim.

"A man who would put sixteen sticks of 80 per cent. dynamite in a building which was filled with combustible, and which was known to you, as a printer, to be such, must only murder and nothing else. It is no extenuating circumstance in this Court to hear you say that you did not intend to kill anyone. There is no question in the mind of the Court that you are a murderer, and as such should be punished."

James B. McNamara, you are a murderer at heart and well deserve the gallows, but in view of the recommendation of the State the judgment of the Court in your case is that you be confined in the State prison at San Quentin for the balance of your natural life.

The Court's arraignment of James followed a suggestion by the District Attorney that a life sentence be imposed instead of death. In making this suggestion Frederick said two punishments were possible for first degree murder, and that, in the opinion of many, one would serve as well as the other.

"The defendant having pleaded guilty," he said, "it is customary for the State to extend clemency, not because the defendant is entitled to it, but because he has saved the State great expense, and also has cleared up what would have been a disputed point—whether he actually committed the crime.

"There has been no kicking, but counsel for the defense understood it was customary to make concessions when the State was saved time, labor and expense, and in this case I think James B. McNamara is entitled to the minimum penalty."

JOHN J. IS SENTENCED.

As the first prisoner came into his chair, District Attorney Frederick was on his feet moving for sentence of John J. McNamara.

John stood up as Judge Bordwell read the indictment. The face of the big labor leader was a curious study as he stood gazing first at the judge, then at his counsel, who sat across the room. His eyes were deep and sunken.

Judge Bordwell sharply demanded of Frederick if he had any recommendation to make.

"I have, Your Honor," was the reply.

"As in the case of defendant's brother, I do not think this man is entitled to mercy. But the defendant having pleaded guilty, it is customary to extend a slight concession as a recognition of the expense and labor saved. I think the Court should take into consideration the probable life of this man and arrange sentence so that he may have a few years of freedom after he expires his term."

Judge Bordwell immediately sentenced John to fifteen years. He repeated his exhortation of James, but added:

"You are fully as guilty as he, and deserve absolutely no consideration, but as you pleaded guilty, I will make the concession suggested by the District Attorney and will impose a moderate sentence."

As soon as sentence had been pronounced, the Court demanded of both men whether they had ever learned any trade. Jim answered that he was a printer, while John said he was a structural iron worker.

At a signal from the judge, Sheriff Hammett and his deputies closed about the two prisoners and they were hurried out of the court-room and back to jail.

NO MOTION MADE BY DEFENDANTS' LAWYERS.

During the entire court proceedings, not a single move was made by counsel for the defense. Attorney Thayer Davis and Scott had spent much of the morning in the jail, buying up the McNamaras for the ordeal.

District Attorney Frederick in a statement to-day declared some of the union labor leaders who are denouncing the McNamaras for confessing were absolutely guilty of the same crime that these men were sentenced to-day, and that he had positive proof of that fact.

After returning to his office and after the imposition of sentence, Frederick said:

"Some of the statements from union labor leaders repudiating the McNamaras are so full of lies and are so full of statements concerning these men as labor leaders who, I know, are implicated in the dynamiting outrages for which these men were sentenced to-day. As for these crimes, I will say now that I know just as much about them as does J. B. McNamara, himself."

OUTCOME AN EPOCH IN NATIONAL HISTORY.

"I am perfectly satisfied with the outcome. I think Judge Bordwell dealt exactly right. The ends of justice were served by clemency. The subjects of this case are more than anything else, happening since the Civil War, an epoch in the history of the United States.

"It means the passing of the blood-guilt and the strong arm from the ranks of labor."

"There was no bargaining or cloaking in this case, which was shown, this morning in Court. J. B. McNamara threw his life in the teeth of the State in that statement, and Judge Bordwell threw it back at him. And he did right. I did not know when I went into court this morning what the sentence would be."

"I believe the attorneys for the defense did not know. All this 'striking' business about fixing the case up makes me tired."

"I do not know when McNamara will be arraigned. I will say, though, that it will not be soon."

"There was uncertainty up to the last moment whether Judge Bordwell would not block the entire agreement and impose a maximum sentence—death for James and life for John."

Darrow sat throughout the entire proceedings with his eyes fixed on the court-room floor.

It is the first time that he has sustained during his long career as a labor attorney, Davis the reputed Philadelphia lawyer, while Scott was much broken up.

When the words that sent James McNamara to San Quentin for life were pronounced by Judge Bordwell a sigh of relief arose from all three lawyers, who seemed pleased they had saved this man from the wreckage.

It was reported here late afternoon

Lawyer Who Gets \$50,000 Fee as Counsel to the McNamaras



CLARENCE S. DARROW

would like to get, but I am not prepared to discuss the case further."

MANIFOL HOPEFUL FOR HIS OWN FUTURE.

Ortie McNamagal talks hopefully of his future.

"I certainly feel sorry for both the McNamaras," said the man whose confession was primarily responsible for landing the dynamiters.

"This is all in a lifetime and there are more serious things to think about than being 'sore'."

"Naturally, I am anxious to know just where I stand. You know there has been talk that I was to be let down easy by District Attorney Frederick, but there's nothing to that. I have tried to do the right thing in this, and, of course, I want to get out. I suppose I must look forward to being in for a long time yet, though, and then, no matter what happens, I won't be disappointed."

"I am going back to my home in Chicago when I get out. I'm going back and start all over again. I'm willing to take my wife back, too, and see if I can't make more out of life than I have."

Malcolm McLaren, the Burns man, today said Burns would ask clemency for McNamagal and that he (McLaren) has already done so.

Assistant District Attorney Horton said to-day the prosecution probably would ask the Court to take into consideration the aid McNamagal through his confessions, had given the State in passing judgment on him.

The McNamaras were not served with summonses to appear before the Grand Jury at the time they were in court, although this had been expected. It is deemed certain, however, that they will appear.

"ONLY PARTLY TRUE," SAYS BURNS OF THE CONFESSION.

CLEVELAND, O., Dec. 5.—Shown James B. McNamara's confession of the Los Angeles Times dynamiting here to-day, Detective William J. Burns declared that it was only partly true.

"Why don't Jim McNamara tell how he knocked off the gas cocks and flooded with gas the place where the suitcase filled with dynamite was put?" he asked.

"If he told that, then could we convince any one that he did not intend the entire destruction of the Times Building and its occupants?"

Burns refused to discuss a report that another ironworker had confessed, and that the arrests of prominent labor leaders were imminent other than to say these things were "possible."

"Mr. Lawler told that hints had been thrown out that the National Erectors' Association might be willing to grant persons connected prominently with the McNamara defense immunity from prosecution on jury bribing charges in return for information they had concerning prominent labor leaders."

"Absolutely untrue," said Burns. "No immunity has been offered or will be offered any one."

Burns made it plain that he was not bound by any "Golden Rule" agreement in running down the men "higher up" whom he alleged to have been connected with dynamiting plots and removed his attack on President Gompers of the American Federation of Labor.

"What is this 'Golden Rule' business?" he asked Burns. "I have heard nothing of it and do not know what I am concerned."

Burns charged that Gompers was in Indianapolis and talked with the men who had fled to that city to be used by John J. McNamara.

"You can't tell me the union did not know where the money went. Gompers knew these men were guilty at the time of their arrest," said Burns.

GOMPERS SATISFIED; PLEADED BROTHERS ESCAPED DEATH.

Samuel Gompers was found on Broadway near Forty-second street by an Evening World reporter early this afternoon and given his first news of the sentences passed upon the McNamaras.

"I am very well satisfied," he said, "I am particularly satisfied that the death penalty was not imposed."

Mr. Gompers showed little interest in the fate of the dynamiters. His mind seemed wholly centered on a dispatch of postcards in a store window.

He said he was going to Washington City. He had no information, he

declared, about more arrests in the alleged bomb conspiracy.

MITCHELL PRAISES BURNS; ADMITS CAUSE OF LABOR IS HURT.

PITTSBURGH, Dec. 5.—John Mitchell to-day praised Detective William J. Burns for his work in the McNamara case, but declared he believed Burns was wrong in his charges that Samuel Gompers, president of the American Federation of Labor, knew of the brothers' guilt. Mitchell also said the McNamara case would undoubtedly hurt organized labor.

"The opponents of labor can cite the case with truth against these confessed labor leaders," he said. "They will add it to their many charges, most of them just as false when laid at the door of the workmen of America. The people should remember that organization does not breed lawlessness, but instead, to succeed, must have as its foundation good citizenship, honesty and upright teachings. Only a few of our millions of people are criminals. This is as true in labor organizations as elsewhere."

WICKERSHAM NAMES LAWYER TO CONDUCT FEDERAL INQUIRY.

WASHINGTON, Dec. 5.—Attorney General Wickersham to-day formally announced the appointment of Oscar Lawler as a Special Assistant Attorney General to take entire charge of the Federal dynamite plot probe.

DREW IS GLAD DEATH WAS NOT MADE PENALTY

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WILL STOP DYNAMITING.

Confession of McNamaras a Deterrent to Use of Explosives in Labor Disputes.

Walter Drew, counsel for the National Erectors' Association, which employed William J. Burns to run down the men who had been dynamiting steel work on "open shop" jobs, expressed gratification when told this afternoon that the extreme limit of the law had not been visited on James B. McNamara.

He reiterated the belief he expressed in a telegram he sent yesterday to District Attorney Frederick at Los Angeles that neither Jim nor John McNamara contemplated murder when they conspired to blow up the Los Angeles Times.

Mr. Drew regards the plea of guilty of the McNamaras as a lesson that will act as a deterrent to men who have been using dynamite in advancing the union war on the open shop. The terms of imprisonment imposed by Judge Bordwell Mr. Drew regards as sufficient under the circumstances.

"After the structural ironworkers opened the way," said Mr. Drew, "labor organizations all over the country were getting the dynamite habit. Employers faced a serious crisis when William J. Burns got on the trail of the McNamaras."

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"Here we are," continued Mr. Drew, "a strike which the Bridgemen's Union was not interested, save sympathetically. It was a carpenters' strike, declared by the Building Trades Council. The phrase 'the work was in awful shape' is explained by the records of the Erectors' Association."

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